

# State of Wisconsin



1995 Senate Bill 565

Date of enactment: April 18, 1996

Date of publication\*: April 29, 1996

## 1995 WISCONSIN ACT 216

(Vetoed in Part)

AN ACT *to repeal* 46.043, 46.043 and 560.82 (4) (a) 3.; *to renumber* 14.015 (2) (intro.) and (a) to (d), 14.015 (2) (e) 1. to 6., 14.015 (2) (e) 7. and (f) to (h), 15.187 (1) (a), 20.445 (5) (e), 20.923 (6) (bh), 44.25 (5g) and (5r) and 86.302 (1m); *to renumber and amend* 14.015 (2) (e) (intro.), 14.015 (2m), 15.187 (1) (b), 20.143 (3) (kc), 20.245 (4) (d), 20.245 (4) (i), 20.380 (3) (ir), 66.03 (13) (a), 86.303 (4), 146.59, 220.02 (7) and 560.82 (4) (a); *to amend* 13.48 (13) (a), 13.94 (1) (o), 14.02, 15.07 (1) (b) 20., 15.07 (5) (y), 15.445 (2) (title), 15.445 (2) (a), 16.61 (3) (s), 16.611 (2) (a), 16.611 (2) (c), 16.62 (1) (a), 16.62 (1) (b), 16.62 (1) (bm), 16.62 (1) (c), 20.143 (1) (km), 20.144 (1) (g), 20.144 (2) (g), 20.245 (4) (h), 20.380 (2) (ip), 20.380 (2) (ms), 20.380 (2) (q), 20.435 (7) (o), 20.505 (1) (im), 20.575 (1) (i), 20.866 (1) (u), 20.866 (2) (v), 20.866 (2) (w), 20.923 (6) (L), 23.50 (1), 23.53 (1), 23.56 (1), 23.57 (1) (intro.), 23.58, 23.62 (1) (intro.), 40.22 (2) (g), 41.41 (1) (a), 46.057 (1) and (2), 46.52, 46.54, 46.979 (2) (a), 46.98 (2) (a), 49.029 (3), 49.143 (1) (a), 49.45 (6t) (intro.), 49.45 (6t) (a), 49.45 (6t) (b) (intro.), 49.45 (6t) (b) 2., 49.45 (6t) (b) 3., 51.05 (3m), 66.019 (5), 66.023 (1) (a), 66.03 (5), 66.066 (2) (b) (intro.), 66.066 (2) (b) 1., 66.066 (2) (b) 5., 79.006, 93.20 (1), 111.71 (2), 119.23 (2) (b), 190.13, 230.08 (2) (e) 4m., 230.08 (2) (m) 2m., 230.08 (2) (yn), 233.04 (3b) (b), 233.04 (4) (intro.), 233.04 (4m) (a), 233.04 (7) (intro.), 233.04 (7g) (a), 233.04 (7g) (b), 233.04 (7p) (a), 233.04 (7p) (b), 233.04 (7s), 342.40 (1), 342.40 (3) (a), 346.94 (13), 422.505 (1) (e), 426.103, 426.104 (2) (intro.), 938.02 (15m), 938.183 (1) (a), 939.635 (1) and 939.635 (2) (b); *to repeal and recreate* 20.320 (1) (t), 20.866 (2) (v), subchapter IX of chapter 40 [precedes 40.95] and 233.04 (4m) (b); *to create* 13.094, 15.96 (1m), 20.525 (1) (g), 36.25 (13g), 40.02 (25) (b) 2g., 40.52 (3m), 46.057, 49.143 (1) (av), 49.143 (1) (ay), 66.03 (13) (a) 2., 86.302 (1m) (b), 86.303 (4) (b), 146.59 (1), 146.59 (2) (b), 146.59 (3), 233.02 (1) (am), 233.04 (7g) (c), 233.04 (7p) (c), 233.05, 233.12, 233.20 (1m), 342.40 (4), 409.411 (title) and 560.82 (4) (a) 2. and 3. of the statutes; and *to affect* 1995 Wisconsin Act 27, section 9322, 1995 Wisconsin Act 27, section 9422, 1995 Wisconsin Act .... (Senate Bill 373), section 9331 (3) and (6) and 1995 Wisconsin Act .... (Senate Bill 373), section 9431 (2); **relating to:** recovery of enforcement costs by the department of agriculture, trade and consumer protection in drainage district cases; transferring responsibility for administration of the Wisconsin consumer act; transferring responsibility for supporting the uniform commercial code statewide lien system; correcting references in certain appropriations of the department of financial institutions; the number of unclassified division administrator positions in the gaming board; reversion of transferred funds to the Wisconsin development fund; minority business early planning projects; renumbering the appropriation for administrative services for regulation of industry, safety and buildings; the Milwaukee parental choice program; collection of certain fees by the employment relations commission; payment of principal and interest on bonds issued for the clean water fund program; establishing a Mendota juvenile treatment center; a plan to assure continued funding for the mental health institutes; expanding the county department operating deficit reduction program; changing funding requirements for integrated community services; expanding types of

\* Section 991.11, WISCONSIN STATUTES 1993-94: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

recipients of funds distributed for consumer and family self-help and peer-support programs; transferring an appropriation for principal repayment and interest from the department of industry, labor and job development to the department of health and family services; changing references to low-income and at-risk child care funding; the use of relief block grant funds by tribal governing bodies; administration of Wisconsin works in counties having a population of 500,000 or more; notices and assistance to employees affected who may be laid off as a result of an election by a county or tribal governing body not to enter into or compete for an agency contract under the Wisconsin works program; state involvement with certain municipal boundary changes; refunding of municipal bonds; a performance evaluation audit of the University of Wisconsin Hospitals and Clinics Authority; the lease agreement and affiliation agreement between the University of Wisconsin System and the University of Wisconsin Hospitals and Clinics Authority; the contractual services agreement between the University of Wisconsin Hospitals and Clinics Board and the University of Wisconsin Hospitals and Clinics Authority; accumulated sick leave credits for the purchase of health insurance under the Wisconsin retirement system; making certain employees at the University of Wisconsin Hospitals and Clinics Authority eligible for health insurance coverage under a plan offered by the group insurance board and requiring the group insurance board to consult with the University of Wisconsin Hospitals and Clinics Authority in the establishment of this plan; issuance of bonds by the University of Wisconsin Hospitals and Clinics Authority; membership of the University of Wisconsin Hospitals and Clinics Board and of the board of directors of the University of Wisconsin Hospitals and Clinics Authority; storage and management of records of the University of Wisconsin Hospitals and Clinics Authority; applicability of municipal ordinances and regulations to certain buildings, structures and facilities constructed for the benefit or use of local professional baseball park districts; newly incorporated municipalities' populations for shared revenue distributions; local transportation aids for newly incorporated cities and villages; taxes levied by newly incorporated cities and villages; changing the name of the Kickapoo valley governing board; the effective date and initial applicability of adjustments in certain lobbying regulation fees; railroad stockholder reports; bonding authorizations for the department of health and social services; **funding and authorized full-time equivalent positions for the land information board**; funding, powers and duties of the Wisconsin sesquicentennial commission; prevailing hours of labor for workers employed on state or local public works projects; vehicle abandonment; granting bonding authority; granting rule-making authority; and making and decreasing appropriations.

**Vetoed  
In Part**

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1g.** 13.094 of the statutes is created to read:

**13.094 Review of University of Wisconsin Hospitals and Clinics Authority lease and affiliation agreements.** (1) FIVE-YEAR REVIEW. By June 29, 2001, and every 5 years thereafter by June 29, the joint committee on finance shall review the lease agreement under s. 233.04 (7) or (7g) and the affiliation agreement under s. 233.04 (7m) or (7p). If the joint committee on finance determines that either the lease agreement or the affiliation agreement, or both, should be terminated, the committee shall submit its recommendations regarding the agreements to the legislature under s. 13.172 (2). The committee's recommendations shall include any suggested legislation necessary to adequately provide for the protection of the bondholders and those entering into contracts with the authority or to modify the powers and duties of the University of Wisconsin Hospitals and Clinics Authority to reflect termination of the lease agreement or affiliation agreement, or both.

(2) TERMINATION OF AGREEMENTS. If legislation has been enacted to adequately provide for the protection of the bondholders and those entering into contracts with the authority or to modify the powers and duties of the University of Wisconsin Hospitals and Clinics Authority

to reflect termination of the lease agreement or affiliation agreement, or both, or if such legislation is not necessary to adequately provide for the protection of the bondholders and those entering into contracts with the authority or to modify the powers and duties of the authority, the committee may terminate the lease agreement or affiliation agreement, or both.

(3) RECOMMENDED LEGISLATION. If the lease agreement under s. 233.04 (7) or (7g) or the affiliation agreement under s. 233.04 (7m) or (7p) ceases to be in effect for a reason other than termination under sub. (2), the joint committee on finance shall recommend any legislation that it considers appropriate or desirable in light of the lease agreement or affiliation agreement ceasing to be in effect to adequately provide for the protection of the bondholders of the University of Wisconsin Hospitals and Clinics Authority and those entering into contracts with the authority or to modify the powers and duties of the authority. The joint committee on finance shall submit its recommendations to the legislature under s. 13.172 (2).

**SECTION 1m.** 13.48 (13) (a) of the statutes, as affected by 1995 Wisconsin Act 27, section 24c, is amended to read.

13.48 (13) (a) Except as provided in par. (b) or (c), every building, structure or facility that is constructed for the benefit of or use of the state or any state agency,

board, commission or department of the University of Wisconsin Hospitals and Clinics Authority or any local professional baseball park district created under subch. III of ch. 229 if the construction is undertaken by the department of administration on behalf of the district, shall be in compliance with all applicable state laws, rules, codes and regulations and zoning ordinances or regulations of the municipality in which the construction takes place but the construction is not subject to other ordinances or regulations of that municipality in which the construction takes place except zoning, including without limitation because of enumeration ordinances or regulations relating to materials used, permits, supervision of construction or installation, payment of permit fees, or other restrictions.

**SECTION 2b.** 13.94 (1) (o) of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

13.94 (1) (o) Prior to negotiation of an extension or renewal of the initial lease agreement under s. 233.04 (7) or the initial affiliation agreement under s. 233.04 (7m) between the board of regents of the University of Wisconsin System and the University of Wisconsin Hospitals and Clinics Authority the initial 5-year review by the joint committee on finance under s. 13.094, perform a performance evaluation audit and distribute a report of its findings to the distributees specified in par. (b).

**SECTION 2g.** 14.015 (2) (intro.) and (a) to (d) of the statutes are renumbered 14.015 (2) (a) (intro.) and 1. to 4.

**SECTION 2h.** 14.015 (2) (e) (intro.) of the statutes is renumbered 14.015 (2) (a) 5. (intro.) and amended to read:

14.015 (2) (a) 5. (intro.) One A representative of each of the following communities in this state:

**SECTION 2i.** 14.015 (2) (e) 1. to 6. of the statutes are renumbered 14.015 (2) (a) 5. a. to f.

**SECTION 2j.** 14.015 (2) (e) 7. and (f) to (h) of the statutes, as affected by action of the revisor of statutes under section 13.93 (1) (b) of the statutes, are renumbered 14.015 (2) (a) 5. g. and 6. to 8.

**SECTION 2k.** 14.015 (2m) of the statutes, as affected by action of the revisor of statutes under section 13.93 (1) (b) of the statutes, is renumbered 14.015 (2) (b) and amended to read:

14.015 (2) (b) In addition to the members specified in par. (a), the governor shall serve as an ex-officio member of the commission and of any committee of the commission appointed under s. 44.25 (5r) 14.26 (5r).

**SECTION 2L.** 14.02 of the statutes is amended to read:

**14.02 Governor may appoint employees.** The Except as provided in s. 14.26 (5g), the governor may appoint and fix the compensation of such employees as he or she deems necessary for the execution of the functions of the office of the governor and for the domestic service of the executive residence. The governor may remove any of the appointees appointed under this section at pleasure.

**SECTION 3.** 15.07 (1) (b) 20. of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

15.07 (1) (b) 20. The 3 members of the Kickapoo valley governing reserve management board appointed under s. 15.445 (2) (b) 3.

**SECTION 4.** 15.07 (5) (y) of the statutes is amended to read:

15.07 (5) (y) Members of the Kickapoo valley governing reserve management board, \$25 per day.

**SECTION 5.** 15.187 (1) (a) of the statutes, as affected by 1995 Wisconsin Act 27, is renumbered 15.187 (1).

**SECTION 6.** 15.187 (1) (b) of the statutes, as affected by 1995 Wisconsin Act 27, is renumbered 409.411 (1) and amended to read:

409.411 (1) The uniform commercial code statewide lien system council shall advise the department of financial institutions on the uniform commercial code statewide lien system under s. 409.410.

**SECTION 7.** 15.445 (2) (title) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

15.445 (2) (title) KICKAPOO VALLEY GOVERNING RESERVE MANAGEMENT BOARD.

**SECTION 8.** 15.445 (2) (a) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

15.445 (2) (a) Creation. There is created a Kickapoo valley governing reserve management board which is attached to the department of tourism under s. 15.03.

**SECTION 8m.** 15.96 (1m) of the statutes is created to read:

15.96 (1m) Each cochairperson of the joint committee on finance or a member of the committee designated by that cochairperson.

**SECTION 9.** 16.61 (3) (s) of the statutes is amended to read:

16.61 (3) (s) Shall recommend to the department procedures for the transfer of public records and records of the University of Wisconsin Hospitals and Clinics Authority to optical disk format, including procedures to ensure the authenticity, accuracy and reliability of any public records or records of the University of Wisconsin Hospitals and Clinics Authority so transferred and procedures to ensure that such public records are protected from unauthorized destruction. The board shall also recommend to the department qualitative standards for optical disks and copies of documents generated from optical disks used to store public records and records of the University of Wisconsin Hospitals and Clinics Authority.

**SECTION 10.** 16.611 (2) (a) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

16.611 (2) (a) The department shall prescribe, by rule, procedures for the transfer of public records and records of the University of Wisconsin Hospitals and Clinics Authority to optical disk or electronic format and for the maintenance of public such records stored in optical disk or electronic format, including procedures to ensure the authenticity, accuracy, reliability and accessibility of

any public records or records of the University of Wisconsin Hospitals and Clinics Authority so transferred and procedures to ensure that such public records are protected from unauthorized destruction.

**SECTION 11.** 16.611 (2) (c) of the statutes is amended to read:

16.611 (2) (c) The department shall prescribe, by rule, qualitative standards for optical disks and for copies of documents generated from optical disks used to store public records and records of the University of Wisconsin Hospitals and Clinics Authority.

**SECTION 12.** 16.62 (1) (a) of the statutes is amended to read:

16.62 (1) (a) To advise and assist state agencies and the University of Wisconsin Hospitals and Clinics Authority in the establishment and operation of records management programs through the issuance of standards and procedures and provision of technical and management consulting services.

**SECTION 13.** 16.62 (1) (b) of the statutes is amended to read:

16.62 (1) (b) To operate a state records center and a central microfilm facility for state agencies and the University of Wisconsin Hospitals and Clinics Authority and to ~~develop~~ promulgate rules as necessary for efficient operation of the facilities.

**SECTION 14.** 16.62 (1) (bm) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

16.62 (1) (bm) To operate a storage facility for storage of public records and records of the University of Wisconsin Hospitals and Clinics Authority in optical disk or electronic format in accordance with rules, promulgated by the department under s. 16.611, governing operation of the facility.

**SECTION 15.** 16.62 (1) (c) of the statutes is amended to read:

16.62 (1) (c) To periodically audit ~~state agencies' the~~ records management programs of state agencies and the University of Wisconsin Hospitals and Clinics Authority and recommend improvements in records management practices.

**SECTION 16.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

		1995–96	1996–97
<b>20.320</b>	<b>Clean water fund program</b>		
(1)	CLEAN WATER FUND OPERATIONS		
(t)	Principal repayment and interest — clean water fund bonds	SEG      A      4,000,000	4,000,000

**SECTION 17.** 20.143 (1) (km) of the statutes, as created by 1995 Wisconsin Act 27, section 512mp, is amended to read:

20.143 (1) (km) *Minority business projects; transfer.* Biennially, the amounts in the schedule for grants and loans under ss. 560.82 and 560.83. All moneys transferred from the appropriation account under par. (ie) shall be credited to this appropriation. Notwithstanding s. 20.001 (3) (b), the unencumbered balance on July 1, 1997, is transferred to the appropriation account under par. (ie).

**SECTION 18.** 20.143 (3) (kc) of the statutes, as created by 1995 Wisconsin Act 27, is renumbered 20.143 (4) (kd) and amended to read:

20.143 (4) (kd) *Administrative services.* The amounts in the schedule for administrative and support services for programs administered by the department. All moneys received by the department from the department, ~~not except for moneys~~ directed to be deposited under ~~par. (ks)~~ pars. (k), (ka) and (kb) and subs. (1) (k), (ka) and (kb) and (3) (ks), as payment for administrative and support services for programs administered by the department shall be credited to this appropriation.

**SECTION 19.** 20.144 (1) (g) of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

20.144 (1) (g) *General program operations.* The amounts in the schedule for the general program operations of the department of financial institutions. Except as provided in pars. (a), (h), (i), ~~(ka)~~ and (u), all moneys received by the department, other than by the office of credit unions, the division of banking and the division of savings and loan, and 88% of all moneys received by the department's division of banking and the department's division of savings and loan shall be credited to this appropriation, but any balance at the close of a fiscal year exceeding 10% of the previous fiscal year's expenditures under this appropriation shall lapse to the general fund. Annually, \$200,000 of the amounts received under this appropriation account shall be transferred to the appropriation account under s. 20.575 (1) (g).

**SECTION 20.** 20.144 (2) (g) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

20.144 (2) (g) *General program operations.* The amounts in the schedule for the general program operations of the office of credit unions and for supervision of credit unions under ch. 186. ~~Except as provided in par. (ka), 88%~~ Eighty-eight percent of all moneys received by the office shall be credited to this appropriation, but any balance at the close of a fiscal year exceeding 10%



of the previous fiscal year's expenditures under this appropriation shall lapse to the general fund.

**SECTION 20g.** 20.245 (4) (d) of the statutes, as created by [1995 Wisconsin Act 27](#), is renumbered 20.525 (1) (e) and amended to read:

20.525 (1) (e) *Wisconsin sesquicentennial commission; general program operations.* ~~The Biennially, the~~ amounts in the schedule for the general program operations of the Wisconsin sesquicentennial commission under s. 44.25, ~~to be expended upon approval of the director of the historical society~~ 14.26.

**SECTION 20h.** 20.245 (4) (h) of the statutes, as affected by [1995 Wisconsin Act 27](#), is amended to read:

20.245 (4) (h) *Gifts and grants.* All moneys received by the historical society ~~and the Wisconsin sesquicentennial commission~~ from gifts, grants or bequests, except moneys that are otherwise specifically appropriated, for purposes related to executive and administrative services of the society ~~and for the purposes for which made to and received by the commission, to be expended upon approval of the director of the historical society.~~

**SECTION 20i.** 20.245 (4) (i) of the statutes, as created by [1995 Wisconsin Act 27](#), is renumbered 20.525 (1) (h) and amended to read:

20.525 (1) (h) *Wisconsin sesquicentennial commission; license revenue.* All moneys received by the Wisconsin sesquicentennial commission from license fees, to be used for the general program operations of the commission under s. 44.25 ~~upon approval of the director of the historical society~~ 14.26.

**SECTION 21.** 20.320 (1) (t) of the statutes is repealed and recreated to read:

20.320 (1) (t) *Principal repayment and interest — clean water fund bonds.* From the clean water fund, the amounts in the schedule to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in transferring moneys from s. 20.866 (2) (tc) to the clean water fund for the purposes specified in s. 25.43 (3). Fifty percent of all moneys received from municipalities as payment of interest on loans or portions of loans under ss. 144.241 and 144.2415 the revenues of which have not been pledged to secure revenue obligations shall be credited to this appropriation account.

**SECTION 22.** 20.380 (2) (ip) of the statutes, as affected by [1995 Wisconsin Act 27](#), is amended to read:

20.380 (2) (ip) (title) *Kickapoo valley governing reserve management board; program services.* All moneys received by the Kickapoo valley governing reserve management board from admissions, fees, leases, concessions, memberships, sales and other similar receipts authorized under s. 41.41 to be used for the general program operations of the board under s. 41.41.

**SECTION 23.** 20.380 (2) (ms) of the statutes, as affected by [1995 Wisconsin Act 27](#), is amended to read:

20.380 (2) (ms) *Kickapoo valley governing reserve management board; federal aid.* All moneys received by

the Kickapoo valley governing reserve management board from the federal government, as authorized by the governor under s. 16.54, to be used for the purposes for which made and received.

**SECTION 24.** 20.380 (2) (q) of the statutes, as affected by [1995 Wisconsin Act 27](#), is amended to read:

20.380 (2) (q) (title) *Kickapoo valley governing reserve management board; general program operations.* From the conservation fund, the amounts in the schedule for the general program operations of the Kickapoo valley governing reserve management board under s. ~~27.41~~ 41.41.

**SECTION 25.** 20.380 (3) (ir) of the statutes, as affected by [1995 Wisconsin Act 27](#), is renumbered 20.380 (2) (ir) and amended to read:

20.380 (2) (ir) (title) *Kickapoo valley governing reserve management board; gifts and grants.* All moneys received by the Kickapoo valley governing reserve management board from gifts, grants or bequests, to carry out the purpose for which received.

**SECTION 26.** 20.435 (7) (o) of the statutes, as affected by [1995 Wisconsin Act 27](#), is amended to read:

20.435 (7) (o) *Federal aid; community aids.* All federal moneys received in amounts pursuant to allocation plans developed by the department for the provision or purchase of services authorized under par. (b) and s. 46.70; all federal moneys received as child welfare funds under [42 USC 620](#) to [626](#) as limited under s. 48.985; all federal child care and development block grant funds received under [42 USC 9858](#) that are allocated under s. 46.40 ~~(2m)-(e) (4m)~~ for distribution under s. 46.98 (2); all federal moneys received as child care grants under [42 USC 603](#) (n) as allocated under s. 46.40 ~~(2m)-(e) (4m)~~ and distributed under s. 46.98 (2); and all unanticipated federal social services block grant funds received under [42 USC 1397](#) to [1397e](#), in accordance with s. 46.49 (2), for distribution under s. 46.40. Disbursements from this appropriation may be made directly to counties for social and mental hygiene services under s. 46.03 (20) (b) or 46.031 or directly to counties in accordance with federal requirements for the disbursement of federal funds.

**SECTION 27.** 20.445 (5) (e) of the statutes, as affected by [1995 Wisconsin Act 27](#), is renumbered 20.435 (6) (e).

**SECTION 28.** 20.505 (1) (im) of the statutes is amended to read:

20.505 (1) (im) *Services to nonstate governmental units.* The amounts in the schedule to provide services and to repurchase inventory items that are provided primarily to purchasers ~~outside state government~~ other than state agencies. All moneys received from the sale of services, other than services provided under par. (is), and inventory items which are provided primarily to purchasers ~~outside state government~~ other than state agencies shall be credited to this appropriation account.

**SECTION 28m.** 20.525 (1) (g) of the statutes is created to read:

20.525 (1) (g) *Gifts and grants; Wisconsin sesquicentennial commission.* All moneys received by the Wisconsin sesquicentennial commission from gifts, grants or bequests to be used for the purposes for which made and received.

**SECTION 29.** 20.575 (1) (i) of the statutes, as affected by 1993 Wisconsin Act 452, is amended to read:

20.575 (1) (i) *Uniform commercial code statewide lien system.* The amounts in the schedule for the purpose of establishing and maintaining support services under s. 14.38 (13), 1993 stats., for the uniform commercial code statewide lien system under s. 409.410. All moneys received from fees forwarded by registers of deeds under ss. 409.403 (5) (a), 409.405 (1) and (2) and 409.406 plus \$3 of the fees collected by the secretary of state for each filing under ss. 409.403 (5) (b), 409.405 (1) and (2) and 409.406 shall be credited to this appropriation.

**SECTION 30.** 20.866 (1) (u) of the statutes, as affected by 1995 Wisconsin Act 27, Section 1160, is amended to read:

20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys appropriated under sub. (2) (zp) and ss. 20.190 (1) (c), (i) and (j), 20.225 (1) (c), 20.245 (1) (e), (2) (e) and (j), (4) (e) and (5) (e), 20.250 (1) (e), 20.255 (1) (d), 20.285 (1) (d), (db), (fh), (ih) and (kd) and (5) (i), 20.320 (1) (c) and (t), 20.370 (7) (aa), (ac), (aq), (ar), (at), (ba), (ca), (cb), (cc), (cd), (ea) and (eq), 20.395 (6) (aq) and (ar), 20.410 (1) (e), (ec) and (ko) and (3) (e), 20.435 (2) (ee) and ~~20.445 (5) (6)~~ (e), 20.465 (1) (d), 20.485 (1) (f) and (go) and (3) (t), 20.505 (5) (g) and (kc) and 20.867 (1) (a) and (b) and (3) (a), (b), (g), (h), (i) and (q) for the payment of principal and interest on public debt contracted under subchs. I and IV of ch. 18.

**SECTION 30e.** 20.866 (2) (v) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

20.866 (2) (v) *Health and social services; mental health facilities.* From the capital improvement fund, a sum sufficient for the department of health and social services to acquire, construct, develop, enlarge or extend mental health facilities. The state may contract public debt in an amount not to exceed ~~\$71,800,500~~ \$82,312,500 for this purpose.

**SECTION 30m.** 20.866 (2) (v) of the statutes, as affected by 1995 Wisconsin Acts 27 and .... (Senate Bill 563), is repealed and recreated to read:

20.866 (2) (v) *Health and social services; mental health facilities.* From the capital improvement fund, a sum sufficient for the department of health and social services to acquire, construct, develop, enlarge or extend mental health facilities. The state may contract public debt in an amount not to exceed \$88,712,500 for this purpose.

**SECTION 30s.** 20.866 (2) (w) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

20.866 (2) (w) *Health and social services; juvenile correctional facilities.* From the capital improvement

fund, a sum sufficient for the department of health and social services to acquire, construct, develop, enlarge or improve juvenile correctional facilities. The state may contract public debt in an amount not to exceed ~~\$39,953,500~~ \$29,441,500 for this purpose.

**SECTION 30t.** 20.923 (6) (bh) of the statutes, as created by 1995 Wisconsin Act 27, is renumbered 20.923 (6) (o).

**SECTION 31.** 20.923 (6) (L) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

20.923 (6) (L) Tourism, department of; Kickapoo valley governing reserve management board: executive secretary and staff.

**SECTION 32.** 23.50 (1) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

23.50 (1) The procedure in ss. 23.50 to 23.85 applies to all actions in circuit court to recover forfeitures, penalty assessments, jail assessments, applicable weapons assessments, applicable environmental assessments, applicable wild animal protection assessments, applicable natural resources assessments, applicable fishing shelter removal assessments, applicable snowmobile registration restitution payments and applicable natural resources restitution payments for violations of ss. 77.09, 134.60, 144.421 (2), 144.422 (2), (2m) (c) and (2r), 146.20 (2) to (5), 147.021, 159.07, 159.08, 159.81, 167.10 (3) and 167.31 (2), subch. VI of ch. 77, this chapter and chs. 26 to 31 and of ch. 350, and any administrative rules promulgated thereunder, violations of rules of the Kickapoo valley governing reserve management board under s. 41.41 (7) (k) or violations of local ordinances enacted by any local authority in accordance with s. 23.33 (11) (am) or 30.77.

**SECTION 33.** 23.53 (1) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

23.53 (1) The citation created under this section shall, in all actions to recover forfeitures, penalty assessments, jail assessments, applicable weapons assessments, applicable environmental assessments, applicable wild animal protection assessments, applicable natural resources assessments, applicable fishing shelter removal assessments, applicable snowmobile registration restitution payments and applicable natural resources restitution payments for violations of those statutes enumerated in s. 23.50 (1), any administrative rules promulgated thereunder, and any rule of the Kickapoo valley governing reserve management board under s. 41.41 (7) (k) be used by any law enforcement officer with authority to enforce those laws, except that the uniform traffic citation created under s. 345.11 may be used by a traffic officer employed under s. 110.07 in enforcing s. 167.31 or by an officer of a law enforcement agency of a municipality or county or a traffic officer employed under s. 110.07 in enforcing s. 159.81. In accordance with s. 345.11 (1m), the citation shall not be used for violations of ch. 350 relating to highway use. The citation may be

used for violations of local ordinances enacted by any local authority in accordance with s. 23.33 (11) (am) or 30.77.

**SECTION 34.** 23.56 (1) of the statutes, as affected by [1995 Wisconsin Act 27](#), is amended to read:

23.56 (1) A person may be arrested for a violation of those statutes enumerated in s. 23.50 (1), any administrative rules promulgated thereunder, any rule of the Kickapoo valley governing reserve management board under s. 41.41 (7) (k), or any local ordinances enacted by any local authority in accordance with s. 23.33 (11) (am) or 30.77, after a warrant that substantially complies with s. 968.04 has been issued. Except as provided in sub. (2), the person arrested shall be brought without unreasonable delay before a court having jurisdiction to try the action.

**SECTION 35.** 23.57 (1) (intro.) of the statutes, as affected by [1995 Wisconsin Act 27](#), is amended to read:

23.57 (1) (intro.) A person may be arrested without a warrant when the arresting officer has probable cause to believe that the person is committing or has committed a violation of those statutes enumerated in s. 23.50 (1), any administrative rules promulgated thereunder, any rule of the Kickapoo valley governing reserve management board under s. 41.41 (7) (k), or any local ordinances enacted by any local authority in accordance with s. 23.33 (11) (am) or 30.77; and:

**SECTION 36.** 23.58 of the statutes, as affected by [1995 Wisconsin Act 27](#), is amended to read:

**23.58 Temporary questioning without arrest.** After having identified himself or herself as an enforcing officer, an enforcing officer may stop a person in a public place for a reasonable period of time when the officer reasonably suspects that such person is committing, is about to commit or has committed a violation of those statutes enumerated in s. 23.50 (1), any administrative rules promulgated thereunder, any rule of the Kickapoo valley governing reserve management board under s. 41.41 (7) (k), or any local ordinances enacted by any local authority in accordance with s. 23.33 (11) (am) or 30.77. Such a stop may be made only where the enforcing officer has proper authority to make an arrest for such a violation. The officer may demand the name and address of the person and an explanation of the person's conduct. Such detention and temporary questioning shall be conducted in the vicinity where the person was stopped.

**SECTION 37.** 23.62 (1) (intro.) of the statutes, as affected by [1995 Wisconsin Act 27](#), is amended to read:

23.62 (1) (intro.) Whenever an enforcing officer has probable cause to believe that a person subject to his or her authority is committing or has committed a violation of those statutes enumerated in s. 23.50 (1), any administrative rules promulgated thereunder, any rule of the Kickapoo valley governing reserve management board under s. 41.41 (7) (k), or any local ordinances enacted by any local authority in accordance with s. 23.33 (11) (am)

or 30.77, the officer may proceed in the following manner:

**SECTION 39g.** 36.25 (13g) of the statutes is created to read:

**36.25 (13g) UNIVERSITY OF WISCONSIN HOSPITALS AND CLINICS.** (a) The board shall establish at the University of Wisconsin–Madison the “University of Wisconsin Hospitals and Clinics”.

(b) The board shall maintain, control and supervise the use of the University of Wisconsin Hospitals and Clinics, for the purposes of:

1. Delivering comprehensive, high-quality health care to patients using the hospitals and to those seeking care from its programs, including a commitment to provide such care for the medically indigent.

2. Providing an environment suitable for instructing medical and other health professions students, physicians, nurses and members of other health-related disciplines.

3. Sponsoring and supporting research in the delivery of health care to further the welfare of the patients treated and applying the advances in health knowledge to alleviate human suffering, promote health and prevent disease.

4. Assisting health programs and personnel throughout the state and region in the delivery of health care.

(c) 1. The board may negotiate and enter into a contractual services agreement with the University of Wisconsin Hospitals and Clinics Board for the provision of services by employees of the University of Wisconsin Hospitals and Clinics Board. Any agreement under this subdivision shall include a provision that requires the board to make adequate payments to the University of Wisconsin Hospitals and Clinics Board for any services provided under the agreement in advance of their need by the University of Wisconsin Hospitals and Clinics Board to pay its employees for such services.

2. The board may not contract for those services that are provided to the board by the University of Wisconsin Hospitals and Clinics Board by state employees in the collective bargaining units specified in s. 111.825 (1m) with any person other than the University of Wisconsin Hospitals and Clinics Board.

(d) This subsection applies only in the event that the on-campus facilities, as defined in s. 233.01 (7), leased to the University of Wisconsin Hospitals and Clinics Authority under s. 36.11 (28), and any improvements, modifications or other facilities specified in s. 233.04 (7) (c), are transferred to the board under s. 233.04 (3b) (b), (7g) (b) or (7p) (b).

**SECTION 39k.** 40.02 (25) (b) 2g. of the statutes is created to read:

**40.02 (25) (b) 2g.** Any person employed as a graduate assistant and other employees-in-training as are designated by the board of directors of the University of Wisconsin Hospitals and Clinics Authority, who are

employed on at least a one-third full-time basis with an expected duration of employment of at least 6 months.

**SECTION 39m.** 40.22 (2) (g) of the statutes is amended to read:

40.22 (2) (g) The employe is appointed by the university under s. 36.19, or by the University of Wisconsin Hospitals and Clinics Authority, as a student assistant or employe in training or is appointed by a school or other education system in which the person is regularly enrolled as a student and is attending classes to perform services incidental to the person's course of study at that school or education system.

**SECTION 39p.** 40.52 (3m) of the statutes is created to read:

40.52 (3m) The group insurance board, after consulting with the board of directors of the University of Wisconsin Hospitals and Clinics Authority, shall establish the terms of a health insurance plan for graduate assistants, and for employes-in-training designated by the board of directors, who are employed on at least a one-third full-time basis with an expected duration of employment of at least 6 months.

**SECTION 39r.** Subchapter IX of chapter 40 [precedes 40.95] of the statutes, as created by 1995 Wisconsin Acts 88 and 89, is repealed and recreated to read:

#### **CHAPTER 40**

##### **SUBCHAPTER IX**

##### **HEALTH INSURANCE PREMIUM CREDITS**

**40.95 Health insurance premium credits.** (1) (a) Subject to sub. (2), the department shall administer a program that provides health insurance premium credits for the purchase of health insurance for a retired employe, or the retired employe's surviving insured dependents, for the benefit of an eligible employe whose compensation includes such health insurance premium credits and who satisfies at least one of the following:

1. The employe accrues accumulated unused sick leave under s. 13.121 (4), 36.30, 230.35 (2), 233.10 or 757.02 (5).

2. The employe has his or her compensation established in a collective bargaining agreement under subch. V of ch. 111.

3. The employe has his or her compensation established in a collective bargaining agreement under subch. I of ch. 111 and the employe is employed by the University of Wisconsin Hospitals and Clinics Authority.

(b) The health insurance premium credits shall be based on the employe's years of continuous service, accumulated unused sick leave and any other factor specified as part of the employe's compensation.

(2) The department is not required to administer any program that provides health insurance premium credits for the purchase of health insurance for a retired employe, or the retired employe's surviving insured dependents, if the department determines that the program does not con-

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form to the program approved by the joint committee on employment relations under s. 230.12 (9).

**SECTION 40.** 41.41 (1) (a) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

41.41 (1) (a) "Board" means the Kickapoo valley governing reserve management board.

**SECTION 40g.** 44.25 (5g) and (5r) of the statutes, as created by 1995 Wisconsin Act 27, are renumbered 14.26 (5g) and (5r).

**SECTION 41.** 46.043 of the statutes, as created by 1995 Wisconsin Act 27, is repealed.

**SECTION 42.** 46.043 of the statutes, as affected by 1995 Wisconsin Act 77, is repealed.

**SECTION 43.** 46.057 of the statutes is created to read:

**46.057 Mendota juvenile treatment center.** (1)

The department shall establish, maintain and operate the Mendota juvenile treatment center on the grounds of the Mendota Mental Health Institute. The department may designate staff at the Mendota Mental Health Institute as responsible for administering, and providing services at, the center. The department shall operate the Mendota juvenile treatment center as a secured correctional facility, as defined in s. 48.02 (15m). The center shall not be considered a hospital, as defined in s. 50.33 (2), an inpatient facility, as defined in s. 51.01 (10), a state treatment facility, as defined in s. 51.01 (15), or a treatment facility, as defined in s. 51.01 (19). The center shall provide psychological and psychiatric evaluations and treatment for children whose behavior presents a serious problem to themselves or others in other secured correctional facilities and whose mental health needs can be met at the center. The department may transfer to the center any child who has been placed in a secured correctional facility under the supervision of the department under s. 48.34 (4m) or 48.357 (4) or (5) (e) in the same manner that the department transfers children between other secured correctional facilities.

(2) From the appropriation under s. 20.435 (3) (hm), the department may expend not more than \$2,864,200 in fiscal year 1995-96 for services for children placed at the Mendota juvenile treatment center.

**SECTION 44.** 46.057 (1) and (2) of the statutes, as created by 1995 Wisconsin Act .... (this act), are amended to read:

46.057 (1) The department shall establish, maintain and operate the Mendota juvenile treatment center on the grounds of the Mendota Mental Health Institute. The department may designate staff at the Mendota Mental Health Institute as responsible for administering, and providing services at, the center. The Notwithstanding ss. 301.02, 301.03 and 301.36 (1), the department shall operate the Mendota juvenile treatment center as a secured correctional facility, as defined in s. 48.02 938.02 (15m). The center shall not be considered a hospital, as defined in s. 50.33 (2), an inpatient facility, as defined in s. 51.01 (10), a state treatment facility, as defined in s.



51.01 (15), or a treatment facility, as defined in s. 51.01 (19). The center shall provide psychological and psychiatric evaluations and treatment for children juveniles whose behavior presents a serious problem to themselves or others in other secured correctional facilities and whose mental health needs can be met at the center. The With the approval of the department of health and family services, the department of corrections may transfer to the center any child juvenile who has been placed in a secured correctional facility under the supervision of the department of corrections under s. 48.34 (4m) or 48.357 (4) or (5) (e) 938.183 (2), 938.34 (4h) or (4m) or 938.357 (4) or (5) (e) in the same manner that the department of corrections transfers children juveniles between other secured correctional facilities.

(2) From the appropriation under s. 20.435 20.410 (3) (hm), the department of corrections may expend not more than \$2,864,200 \$2,500,000 in fiscal year 1995–96 1996–97 for services for children juveniles placed at the Mendota juvenile treatment center. The department of health and family services may charge the department of corrections not more than the actual cost of providing services for juveniles under the supervision of the department of corrections who are provided services at the center.

**SECTION 44L.** 46.52 of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

**46.52 (title) Integrated community services Systems change grants.** From the appropriation under s. 20.435 (7) (md), the department shall distribute \$350,000 in each fiscal year to counties to assist in relocating individuals with mental illness from institutional or residential care to less restrictive and more cost-effective community settings and services. The department shall distribute funds to each recipient under this section so as to permit initial phasing in of community services for individuals with mental illness who are relocated or diverted from institutional or residential care and shall eliminate the funding at the end of a period of not more than 5 years in order to provide funding to another county. The department shall require that the community services that are developed under this section are continued, following termination of a county's funding under this section, by use of funding made available to the county from reduced institutional and residential care utilization.

**SECTION 44n.** 46.54 of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

**46.54 Consumer and family self-help and peer-support programs.** From the appropriation under s. 20.435 (7) (md), the department shall distribute \$180,000 in each fiscal year to counties to increase support for mental health family support projects, employment projects operated by consumers of mental health services, mental health crisis intervention and drop-in projects and public mental health information activities.

**SECTION 45.** 46.979 (2) (a) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

46.979 (2) (a) From the appropriation under s. 20.435 (7) (o), as allocated in s. 46.40 ~~(2m)-(e)~~ (4m), distribute \$9,998,500 in fiscal year 1995–96 and \$10,099,200 in fiscal year 1996–97 for child day care services under s. 46.98 (2m) and (3).

**SECTION 46.** 46.98 (2) (a) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

46.98 (2) (a) The department shall distribute the funds allocated under s. 46.40 (1) and ~~(2m)-(e)~~ (4m) for at-risk, low-income and respite child care services under subs. (2m) and (4g) to county departments under s. 46.215, 46.22 or 46.23. In addition, the department shall distribute the funds allocated under s. 46.40 (1), ~~(2m)-(e)~~ and (4m) for low-income and respite child care services under sub. (3) to private nonprofit child care providers who provide child care for the children of migrant workers.

**SECTION 46b.** 49.029 (3) of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

49.029 (3) USE OF RELIEF BLOCK GRANT FUNDS. A tribal governing body may use moneys received as a relief block grant only for the purpose of providing health care services to dependent persons. Notwithstanding s. 49.01 (2g), health care services may include treatment services for alcohol and other drug abuse.

**SECTION 46d.** 49.143 (1) (a) of the statutes, as created by 1995 Wisconsin Act .... (Assembly Bill 591), is amended to read:

49.143 (1) (a) Except as provided in ~~par. (am)~~ pars. (am) and (av), the department may award a contract, on the basis of a competitive process approved by the secretary of administration, to any person to administer Wisconsin works in a geographical area determined by the department under sub. (6). The department shall award contracts under this paragraph at least 6 months before the date that is specified in s. 49.141 (2) (d).

**SECTION 46h.** 49.143 (1) (av) of the statutes is created to read:

49.143 (1) (av) 1. In a county having a population of 500,000 or more the department shall, prior to awarding a contract to administer Wisconsin works in that county, work with the county for a period not to exceed 6 months to establish a plan for the first 2 years of administration of Wisconsin works in that county. The plan shall establish the methodology for conducting a competitive bidding process to award a contract to administer Wisconsin works in that county. The plan shall identify an administrator to oversee the administrative structure of Wisconsin works in that county and to oversee the Wisconsin works agencies in that county. In establishing a selection process for Wisconsin works agencies in the county, if the county has met the aid to families with dependent children caseload performance standards established by the department under par. (am), the plan shall, to the extent

practicable, give preference to agencies that administer the job opportunities and basic skills program under s. 49.193 in that county.

2. a. If a plan is approved by the department and the county, the department shall award a contract to administer Wisconsin works in that county in accordance with the plan. The plan shall remain in effect for 2 years.

b. If a plan is not approved by the department or the county, the department shall award a contract to administer Wisconsin works in accordance with par. (a) or (am), whichever is applicable.

**SECTION 46hb.** 49.143 (1) (ay) of the statutes is created to read:

49.143 (1) (ay) A county or tribal governing body that enters into a contract under par. (a) or (am) 1. but elects not to compete for a subsequent contract under par. (a) shall provide the notice required under this paragraph at least 6 months prior to the expiration of its contract under par. (a) or (am) 1. A county or tribal governing body that elects not to enter into a contract under par. (am) 1. or to compete for a contract under par. (am) 2. shall provide the notice required under this paragraph by the date established by the department, by rule, under par. (am) 1. The notice shall be provided to all employees of the county or tribal governing body who may be laid off as a result of the county's or tribal governing body's election not to enter into or compete for a contract and to the certified or recognized collective bargaining representatives of such employees, if any. The notice shall inform the employees and the representatives that the county or tribal governing body is making the election not to enter into or compete for a contract; that the employees may be laid off as a result of that election; that the employees may wish to consider forming a private agency to bid on the contract under par. (a); that the employees may obtain information from the department on the competitive process under par. (a) and the contract requirements under this section; and that the employees may obtain information from the department on steps that the employees might take to organize themselves to form a private agency for the purposes of competing for a contract under par. (a). The department shall provide the information specified in this paragraph upon the request of any employee or collective bargaining representative described in this paragraph.

**SECTION 46k.** 49.45 (6t) (intro.) of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

49.45 (6t) (title) COUNTY DEPARTMENT AND LOCAL HEALTH DEPARTMENT OPERATING DEFICIT REDUCTION. (intro.) From the appropriation under s. 20.435 (1) (o), for reduction of operating deficits, as defined under criteria developed by the department, incurred by a county department under s. 46.215, 46.22, 46.23 or 51.42 or by a local health department, as defined in s. 250.01 (4), for services provided under s. 49.46 (2) (a) 4. d. and (b) 6. f., j., k. and L., 9. and 15., for case management services under s. 49.46 (2) (b) 12. and for mental health day treat-

ment services for minors provided under the authorization under 42 USC 1396d (r) (5). the department shall allocate up to \$4,500,000 in each fiscal year to these county departments, or local health departments as determined by the department, and shall perform all of the following:

**SECTION 46L.** 49.45 (6t) (a) of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

49.45 (6t) (a) For the reduction of operating deficits incurred by the county departments or local health departments, estimate the availability of federal medicaid funds that may be matched to county, city, town or village funds that are expended for costs in excess of reimbursement for services provided under s. 49.46 (2) (a) 4. d. and (b) 6. f., j., k. and L., 9. and 15., for case management services under s. 49.46 (2) (b) 12. and for mental health day treatment services for minors provided under the authorization under 42 USC 1396d (r) (5).

**SECTION 46m.** 49.45 (6t) (b) (intro.) of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

49.45 (6t) (b) (intro.) Based on the amount estimated to be available under par. (a), develop a method, which need not be promulgated as rules under ch. 227, to distribute this allocation to the individual county departments under s. 46.215, 46.22, 46.23 or 51.42 or to local health departments that have incurred operating deficits that shall include all of the following

**SECTION 46n.** 49.45 (6t) (b) 2. of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

49.45 (6t) (b) (2) Agreement, by the county in which is located a county department that has an operating deficit, or by the county, city, town or village that has established a local health department that has an operating deficit, to provide funds to match federal medicaid funds.

**SECTION 46p.** 49.45 (6t) (b) 3. of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

49.45 (6t) (b) 3. Consideration of the size of a county department's or local health department's operating deficit.

**SECTION 47.** 51.05 (3m) of the statutes is amended to read:

51.05 (3m) Notwithstanding s. 20.903 (1), the department shall implement a plan that is approved by the department of administration to assure that, before July 1, 1997 1999, there are sufficient revenues, as projected by the department of health and social services, to cover anticipated expenditures by that date under the appropriation under s. 20.435 (2) (gk) for the purpose of reimbursing the provision of care to patients of the Mendota mental health institute or the Winnebago mental health institute. The department of health and social services shall make reports to the department of administration every 3 months, beginning on October 1, 1993, and ending on July 1, 1997 1999, concerning the implementation of this plan.

**SECTION 47m.** 66.019 (5) of the statutes is amended to read:

66.019 (5) TAXES LEVIED BEFORE INCORPORATION; HOW COLLECTED AND DIVIDED. Whenever a village or city is incorporated from territory within any town or towns, after the assessment of taxes in any year and before the collection of such taxes, the tax so assessed shall be collected by the town treasurer of the town or the town treasurers of the different towns of which such village or city formerly constituted a part, and all moneys collected from the tax levied for town purposes shall be divided between the village or city and the town or the towns, as provided by s. 66.03 (13) (a) 1., for the division of property owned jointly by towns and villages.

**SECTION 48.** 66.023 (1) (a) of the statutes is amended to read:

66.023 (1) (a) "Department" means the department of ~~administration~~ commerce.

**SECTION 48g.** 66.03 (5) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

66.03 (5) APPORTIONMENT BOARD. The boards or councils of the municipalities, or committees, thereof selected for that purpose, acting together, shall constitute an apportionment board. When any municipality is dissolved by reason of all of its territory being so transferred the board or council thereof existing at the time of such dissolution shall, for the purpose of this section, continue to exist as the governing body of such municipality until there has been an apportionment of assets by agreement of the interested municipalities or by an order of the circuit court. After an agreement for apportionment of assets has been entered into between the interested municipalities, or an order of the circuit court becomes final, a copy of such apportionment agreement, or of such order, certified to by the clerks of the interested municipalities, shall be filed with the department of revenue, the department of natural resources, the department of transportation, the department of education, the department of administration, and with any other department or agency of the state from which the town may be entitled by law to receive funds or certifications or orders relating to the distribution or disbursement of funds, with the county treasurer, with the treasurer of any municipality, or with any other entity from which payment would have become due if such dissolved municipality from which such territory was transferred had continued in existence. ~~Thereafter~~ Subject to ss. 79.006 and 86.303 (4), thereafter payments from the shared revenue account made pursuant to ch. 79, payments of forest crop taxes under s. 77.05, of transportation aids under s. 20.395, of state aids for school purposes under ch. 121, payments for managed forest land under subch. VI of ch. 77 and all payments due from a department or agency of the state, from a county, from a municipality, or from any other entity from which payments would have become due if such dissolved municipality from which such territory was transferred had

continued in existence, shall be paid to the interested municipality as provided by such agreement for apportionment of assets or by any order of apportionment by the circuit court and such payments shall have the same force and effect as if made to the dissolved municipality from which such territory was transferred.

**SECTION 48m.** 66.03 (13) (a) of the statutes is renumbered 66.03 (13) (a) 1. and amended to read:

66.03 (13) (a) 1. ~~Whenever~~ Subject to subd. 2., if any territory is annexed, detached or incorporated in any year, general property taxes levied against the territory shall be collected by the treasurer of the municipality in which the territory was located on January 1 of such year, and all moneys collected from the tax levied for local municipal purposes shall be allocated to each of the municipalities on the basis of the portion of the calendar year the territory was located in each of the municipalities, and paid accordingly.

**SECTION 48r.** 66.03 (13) (a) 2. of the statutes is created to read:

66.03 (13) (a) 2. If a city or village is incorporated after January 1 and before April 1, the procedures described in subd. 1 shall be applied as if the city or village was incorporated on January 1 of the year in which it was incorporated and the territory shall be treated for purposes of ch. 70 as if the incorporation had occurred on January 1.

**SECTION 49.** 66.066 (2) (b) (intro.) of the statutes is amended to read:

66.066 (2) (b) (intro.) All moneys received from any bonds issued under this section shall be applied solely for purchasing, acquiring, leasing, constructing, extending, adding to, improving, conducting, controlling, operating or managing a public utility, and in the payment of the cost of any subsequent necessary additions, improvements and extensions. Bonds issued under this section shall be secured by a pledge of the revenues of the public utility to the holders of the bonds and to the holders of any coupons of the bonds and may be additionally secured by a mortgage lien upon the public utility to the holders of the bonds and to the holders of any coupons of the bonds. If a mortgage lien is created by ordinance or resolution, the lien shall be perfected by publication of the ordinance or resolution or by recording of the ordinance or resolution in the records of the municipality. In addition, the municipality may record the lien by notifying the register of deeds of the county in which the public utility is located concerning its issuance of bonds. If the register of deeds receives notice from the municipality, the register of deeds shall record any mortgage lien created. The public utility shall remain subject to the pledge and, if created, the mortgage lien until the payment in full of the principal and interest of the bonds. Upon repayment of bonds for which a mortgage lien has been created, the register of deeds shall, upon notice from the municipality, record a satisfaction of the mortgage lien. Any holder of

a bond or of any coupons attached to a bond may either at law or in equity protect and enforce this pledge and, if created, the mortgage lien and compel performance of all duties required of the municipality by this section. Any municipality may provide for additions, extensions and improvements to a public utility that it owns by additional issues of bonds under this section. Such additional issues of bonds shall be subordinate to all prior issues of bonds under this section, but a municipality may in the ordinance or resolution authorizing bonds permit the issue of additional bonds on a parity therewith. Any municipality may issue new bonds under this section to provide funds for refunding any outstanding bonds, ~~bond anticipation notes or promissory notes~~ municipal obligations, including interest, issued under this section or under ch. 67 for any of the purposes stated in sub. (1m). Refunding bonds issued under this section are subject to the following provisions:

**SECTION 50.** 66.066 (2) (b) 1. of the statutes is amended to read:

66.066 (2) (b) 1. Refunding bonds may be issued to refinance more than one issue of outstanding ~~bonds or promissory notes~~ municipal obligations notwithstanding that such outstanding ~~bonds or promissory notes~~ municipal obligations may have been issued at different times and may be secured by the revenues of more than one public utility. Any such public utilities may be operated as a single public utility, subject however to contract rights vested in holders of bonds or promissory notes being refinanced. A determination by the governing body that any refinancing is advantageous or necessary to the municipality shall be conclusive.

**SECTION 51.** 66.066 (2) (b) 5. of the statutes is amended to read:

66.066 (2) (b) 5. The governing body may, in addition to other powers conferred by this section, include a provision in any ordinance or resolution authorizing the issuance of refunding bonds pledging all or any part of the revenues of any public utility or utilities or combination thereof originally financed or extended or improved from the proceeds of any of the ~~bonds, bond anticipation notes or promissory notes~~ municipal obligations being refunded, and pledging all or any part of the surplus income derived from the investment of any trust created in relation to the refunding.

**SECTION 51d.** 79.006 of the statutes is amended to read:

**79.006 New incorporations.** ~~In the case of municipalities formed after 1976, the~~ The information needed for the determinations under this chapter shall be calculated as follows: for those years for which the necessary data does not exist, the data for the new municipality and the municipality from which it was formed shall be combined and the sum shall be apportioned to each municipality in proportion to its respective full value in the first year of assessment of the new municipality; if the munic-

ipality is formed before April 1, the department of administration shall certify the population of the newly created municipality, and the corrected population of the municipality from which it was formed, and those figures shall be used for distributions under this chapter in the year after the incorporation.

**SECTION 51g.** 86.302 (1m) of the statutes is renumbered 86.302 (1m) (a).

**SECTION 51m.** 86.302 (1m) (b) of the statutes is created to read:

86.302 (1m) (b) Upon incorporation of a village or city, the board of the village and the governing body of the city shall file with the department and with the county clerk a certified plat of the village or city showing the roads and streets under its jurisdiction and the mileage thereof to be open and used for travel as of the date of incorporation, which may be used by the department in making computations of transportation aids. One-half of the mileage of roads or streets on boundary lines shall be considered as lying in the village or city.

**SECTION 51p.** 86.303 (4) of the statutes is renumbered 86.303 (4) (a) and amended to read:

86.303 (4) (a) The multiyear average costs used to determine the share of cost aids amount for local units of government shall be based on the 6 most recent years for which actual costs are available. ~~Multiyear average costs for a newly incorporated municipality shall be based on the number of years for which cost data is available until average cost data is based on 6 years of actual costs. If no cost data is available for a newly incorporated municipality, the department may allocate costs for the municipality until actual cost data is available.~~

**SECTION 51t.** 86.303 (4) (b) of the statutes is created to read:

86.303 (4) (b) In the case of municipalities formed within the previous 6 years, the information needed for the determinations under this section shall be calculated as follows: for those years for which the necessary data does not exist, the data for the new municipality and the municipality from which it was formed shall be combined and the sum shall be apportioned to each municipality in proportion to the total mileage of roads and streets under their respective jurisdictions. In making these calculations, the department shall use the certified plats filed under s. 86.302 (1).

**SECTION 52.** 93.20 (1) of the statutes is amended to read:

93.20 (1) **DEFINITION.** In this section, “action” means an action that is commenced in court by, or on behalf of, the department of agriculture, trade and consumer protection to enforce chs. 88, 91 to 100 or 127.

**SECTION 53.** 111.71 (2) of the statutes, as affected by 1995 Wisconsin Act 27, section 3803t, is amended to read:

111.71 (2) The commission shall assess and collect a filing fee for filing a complaint alleging that a prohib-



ited practice has been committed under s. 111.70 (3). The commission shall assess and collect a filing fee for filing a request that the commission act as an arbitrator to resolve a dispute involving the interpretation or application of a collective bargaining agreement under s. 111.70 (4) (c) 2. or (cm) 4. The commission shall assess and collect a filing fee for filing a request that the commission initiate fact-finding under s. 111.70 (4) (c) 3. The commission shall assess and collect a filing fee for filing a request that the commission act as a mediator under s. 111.70 (4) (c) 1. or (cm) 3. The commission shall assess and collect a filing fee for filing a request that the commission initiate compulsory, final and binding arbitration under s. 111.70 (4) (cm) 6. or (jm) or 111.77 (3). For the performance of commission actions under ss. 111.70 (4) (c) 1., 2. and 3., (cm) 3., 4. and 6. and (jm) and 111.77 (3), the commission shall require that the parties to the dispute equally share in the payment of the fee and, for the performance of commission actions involving a complaint alleging that a prohibited practice has been committed under s. 111.70 (3), the commission shall require that the party filing the complaint pay the entire fee. If any party has paid a filing fee requesting the commission to act as a mediator for a labor dispute and the parties do not enter into a voluntary settlement of the dispute, the commission may not subsequently assess or collect a filing fee to initiate fact-finding or arbitration to resolve the same labor dispute. If any request for the performance of commission actions concerns issues arising as a result of more than one unrelated event or occurrence, each such separate event or occurrence shall be treated as a separate request. The commission shall promulgate rules establishing a schedule of filing fees to be paid under this subsection. Fees required to be paid under this subsection shall be paid at the time of filing the complaint or the request for fact-finding, mediation or arbitration. A complaint or request for fact-finding, mediation or arbitration is not filed until the date such fee or fees are paid, except that the failure of the respondent party to pay the filing fee for having the commission initiate compulsory, final and binding arbitration under s. 111.70 (4) (cm) 6. or (jm) or 111.77 (3) shall not prohibit the commission from initiating such arbitration. The commission may initiate collection proceedings against the respondent party for the payment of the filing fee. Fees collected under this subsection shall be credited to the appropriation account under s. 20.425 (1) (i).

**SECTION 54.** 119.23 (2) (b) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

119.23 (2) (b) In the 1995-96 school year, no more than 7% of the school district's membership may attend private schools under this section. Beginning in the 1996-97 school year, no more than 15% of the school district's membership may attend private schools under this section. If in any school year there are more spaces available in the participating private schools than the maximum number of pupils allowed to participate, the depart-

ment shall prorate the number of spaces available at each participating private school.

**SECTION 55.** 146.59 of the statutes, as created by 1995 Wisconsin Act 27, is renumbered 146.59 (2) (a) and amended to read:

146.59 (2) (a) Subject to 1995 Wisconsin Act 27, section 9159 (2) (k), the University of Wisconsin Hospitals and Clinics board shall negotiate and enter into a contractual services agreement with the University of Wisconsin Hospitals and Clinics Authority authority that meets the requirements under s. 233.04 (4) and shall comply with s. 233.04 (4m) (a).

**SECTION 56.** 146.59 (1) of the statutes is created to read:

146.59 (1) In this section:

(a) "Authority" means the University of Wisconsin Hospitals and Clinics Authority.

(b) "Board" means the University of Wisconsin Hospitals and Clinics Board.

**SECTION 56m.** 146.59 (2) (b) of the statutes is created to read:

146.59 (2) (b) If a contractual services agreement is terminated under s. 233.04 (4m) (b), the University of Wisconsin Hospitals and Clinics Board may negotiate and enter into a contractual services agreement with the University of Wisconsin Hospitals and Clinics Authority or the board of regents of the University of Wisconsin System under s. 233.04 (4m) (b).

**SECTION 57.** 146.59 (3) of the statutes is created to read:

146.59 (3) (a) Any contractual services agreement under sub. (2) may include a provision that authorizes the authority to perform specified duties for the board with respect to employees of the board. This authorization may include duties related to supervising employees, taking disciplinary action or recommending new hires or layoffs, or with respect to collective bargaining, claims, complaints, or benefits and records administration.

(b) Any authorization under par. (a) shall comply with all applicable provisions of subch. V of ch. 111 and ch. 230, any delegation of authority by the department of employment relations to the board, and any collective bargaining agreement with respect to employees of the board.

**SECTION 58.** 190.13 of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

**190.13 Report to stockholders.** Every railroad corporation shall make an annual report to its stockholders of its operations for the preceding calendar year, or for its fiscal year, as the case may be, which report shall contain a balance sheet showing its assets and liabilities, its capital stock, and funded debt, and an income account showing its operating revenues, operating expenses, gross and net income, as the result of its traffic or business operations, and such other information in respect of its affairs as the board of directors shall deem advisable. A copy of

each such report shall be kept on file in its principal office in this state, shall be mailed to each stockholder whose post-office address is known and shall be filed with the department of financial institutions office of the commissioner of railroads.

**SECTION 59.** 220.02 (7) of the statutes, as affected by 1995 Wisconsin Act 27, is renumbered 409.411 (2) and amended to read:

409.411 (2) The ~~division~~ department shall establish and maintain, in consultation with the uniform commercial code statewide lien system council, computer and any other services necessary to support the uniform commercial code statewide lien system under s. 409.410 but may not maintain a central filing system, as defined in 7 USC 1631 (c) (2), for farm products, as defined in 7 USC 1631 (c) (5).

**Vetoed In Part** **SECTION 60g.** 230.08 (2) (e) 4m. of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

230.08 (2) (e) 4m. Gaming board — 3 L.

**SECTION 60r.** 230.08 (2) (m) 2m. of the statutes is amended to read:

230.08 (2) (m) 2m. Gaming ~~commission~~ board.

**SECTION 61.** 230.08 (2) (yn) of the statutes is amended to read:

230.08 (2) (yn) The executive secretary and staff of the Kickapoo valley ~~governing~~ reserve management board.

**SECTION 61g.** 233.02 (1) (am) of the statutes is created to read:

233.02 (1) (am) Each cochairperson of the joint committee on finance or a member of the committee designated by that cochairperson.

**SECTION 61m.** 233.04 (3b) (b) of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

233.04 (3b) (b) Paragraph (a) does not apply unless a lease agreement under sub. (7) or (7g), and an affiliation agreement under sub. (7m) or (7p), and a contractual services agreement under sub. (4) or (4m) are in effect that comply with all applicable requirements of those provisions. In the event any either of these agreements are not in effect, the on-campus facilities and all assets and liabilities, tangible personal property, contracts, rules, policies and procedures and pending matters of the authority any improvements, modifications or other facilities specified in sub. (7) (c) shall transfer to or otherwise become the obligation of the board of regents.

**SECTION 62.** 233.04 (4) (intro.) of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

233.04 (4) (intro.) Subject to s. 146.59 and 1995 Wisconsin Act 27, section 9159 (2) (k), negotiate and enter into a contractual services agreement with the University of Wisconsin Hospitals and Clinics Board for the provision of services by employees of the University of Wisconsin Hospitals and Clinics Board beginning on June 29, 1996, for an initial period of not more than 2 years, provided that the agreement shall remain in effect

after expiration of its initial period if the agreement has not been extended or renewed under sub. (4m). The agreement shall include all of the following:

**SECTION 62d.** 233.04 (4m) (a) of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

233.04 (4m) (a) Submit any modification, extension or renewal of the contractual services agreement under sub. (4) to the joint committee on finance. No Except as otherwise provided in this paragraph, no extension or renewal of the contractual services agreement may be for a period of more than 2 years. Modification, extension or renewal of the agreement may be made as proposed by the authority and the University of Wisconsin Hospitals and Clinics Board only upon approval of the committee. Any extension or renewal of a contractual services agreement under this subsection shall remain in effect after expiration of its applicable period if the agreement has not been further extended or renewed under this subsection.

**SECTION 62g.** 233.04 (4m) (b) of the statutes, as created by 1995 Wisconsin Act 27, is repealed and recreated to read:

233.04 (4m) (b) If a lease agreement under sub. (7) or (7g) or an affiliation agreement under sub. (7m) or (7p) is not in effect, the contractual services agreement is terminated and the University of Wisconsin Hospitals and Clinics Board may negotiate and enter into a contractual services agreement with the board of directors that meets the requirements under sub. (4) (a) and (b) or with the board of regents that meets the requirements under s. 36.25 (13g) (c).

**SECTION 63m.** 233.04 (7) (intro.) of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

233.04 (7) (intro.) Subject to s. 233.05 (1) and 1995 Wisconsin Act 27, section 9159 (2) (k), negotiate and enter into a lease agreement with the board of regents to lease the on-campus facilities beginning on June 29, 1996, for an initial period of not more than 5 30 years. The lease agreement shall include all of the following:

**SECTION 64m.** 233.04 (7g) (a) of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

233.04 (7g) (a) Submit any modification, extension or renewal of the lease agreement under sub. (7) to the joint committee on finance. No extension or renewal of the lease agreement may be for a period of more than 5 30 years. Modification, extension or renewal of the agreement may be made as proposed by the authority and the board of regents only upon approval of the committee.

**SECTION 64p.** 233.04 (7g) (b) of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

233.04 (7g) (b) If the committee ~~with respect to an extension or renewal of the agreement~~ does not approve an extension or renewal of the agreement, the on-campus facilities and ~~all assets and liabilities, tangible personal property, contracts, rules, policies and procedures and~~

~~pending matters of the authority any improvements, modifications or other facilities specified in sub. (7) (c) shall transfer to or otherwise become the obligation of the board of regents.~~

**SECTION 64r.** 233.04 (7g) (c) of the statutes is created to read:

233.04 (7g) (c) This subsection does not apply to an automatic extension of the lease agreement under s. 233.05 (1).

**SECTION 65m.** 233.04 (7p) (a) of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

233.04 (7p) (a) Submit any modification, extension or renewal of the affiliation agreement under sub. (7m) to the joint committee on finance. No extension or renewal of the affiliation agreement may be for a period of more than ~~5~~ 30 years. Modification, extension or renewal of the agreement may be made as proposed by the authority and the board of regents only upon approval of the committee.

**SECTION 65p.** 233.04 (7p) (b) of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

233.04 (7p) (b) ~~If the committee with respect to an extension or renewal of the agreement does not approve an extension or renewal of the agreement, the on-campus facilities and all assets and liabilities, tangible personal property, contracts, rules, policies and procedures and pending matters of the authority any improvements, modifications or other facilities specified in sub. (7) (c) shall transfer to or otherwise become the obligation of the board of regents.~~

**SECTION 65r.** 233.04 (7p) (c) of the statutes is created to read:

233.04 (7p) (c) This subsection does not apply to an automatic extension of the affiliation agreement under s. 233.05 (2).

**SECTION 66m.** 233.04 (7s) of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

233.04 (7s) ~~Prior to negotiation of extension or renewal of the initial lease agreement under sub. (7) or the initial affiliation agreement under sub. (7m) the initial 5-year review by the joint committee on finance under s. 13.094, notify the legislative audit bureau and cooperate with the legislative audit bureau in its performance of the audit required under s. 13.94 (1) (o).~~

**SECTION 66r.** 233.05 of the statutes is created to read:

**233.05 Lease and affiliation agreements.** (1) (a) Beginning on July 1, 1997, and any July 1 thereafter, a lease agreement under s. 233.04 (7) and an affiliation agreement under s. 233.04 (7m) are automatically extended for one year unless all of the following occur in the one-year period immediately preceding such date:

1. The board of directors or the board of regents adopts a resolution opposing the automatic extensions or the joint committee on finance takes action opposing the automatic extensions.

2. The party opposing the automatic extensions under subd. 1. provides written notice of its opposition to the other parties specified in subd. 1.

(b) If a lease agreement and an affiliation agreement are not automatically extended on any July 1 under par. (a), the lease and affiliation agreements are not automatically extended on any subsequent July 1 unless in the one-year period immediately preceding such date each party that opposed the automatic extensions withdraws its opposition and notifies the other parties specified in par. (a) 1. of such withdrawal.

(2) (a) Beginning on July 1, 1997, and any July 1 thereafter, a lease agreement under s. 233.04 (7g) or an affiliation agreement under s. 233.04 (7p) is automatically extended for one year unless all of the following occur in the one-year period immediately preceding such date:

1. The board of directors or the board of regents adopts a resolution opposing the automatic extension or the joint committee on finance takes action opposing the automatic extension.

2. The party opposing the automatic extension under subd. 1. provides written notice of its opposition to the other parties specified in subd. 1.

(b) If a lease or affiliation agreement is not automatically extended on any July 1 under par. (a), the lease or affiliation agreement is not automatically extended on any subsequent July 1 unless in the one-year period immediately preceding such date each party that opposed the automatic extension withdraws its opposition and notifies the other parties specified in par. (a) 1. of such withdrawal.

(3) Notwithstanding subs. (1) and (2), the lease agreement under s. 233.04 (7) or (7g) and the affiliation agreement under s. 233.04 (7m) or (7p) are subject to review and termination by the joint committee on finance under s. 13.094.

**SECTION 67.** 233.12 of the statutes is created to read:

**233.12 Maintenance of records.** (1) (a) Subject to rules promulgated by the department of administration under s. 16.611, the authority may transfer to or maintain in optical disk or electronic format any record in its custody and retain the record in that format only.

(b) Subject to rules promulgated by the department of administration under s. 16.611, the authority shall maintain procedures to ensure the authenticity, accuracy, reliability and accessibility of records transferred to or maintained in optical disk or electronic format under par. (a).

(c) Subject to rules promulgated by the department of administration under s. 16.611, if the authority transfers to or maintains in optical disk or electronic format any records in its custody, the authority shall ensure that the records stored in that format are protected from unauthorized destruction.

(2) (a) Any microfilm reproduction of an original record of the authority, or a copy generated from an original record stored in optical disk or electronic format, is considered an original record if all of the following conditions are met:

1. Any device used to reproduce the record on film or to transfer the record to optical disk or electronic format and generate a copy of the record from optical disk or electronic format accurately reproduces the content of the original.

2. The reproduction is on film which complies with the minimum standards of quality for microfilm reproductions, as established by rule of the public records board, or the optical disk or electronic copy and the copy generated from optical disk or electronic format comply with the minimum standards of quality for such copies, as established by rule of the department of administration under s. 16.611.

3. The film is processed and developed in accordance with the minimum standards established by the public records board.

4. The record is arranged, identified and indexed so that any individual document or component of the record can be located with the use of proper equipment.

5. The custodian of the record designated by the authority executes a statement of intent and purpose describing the record to be reproduced or transferred to optical disk or electronic format and the disposition of the original record, and executes a certificate verifying that the record was received or created and microfilmed or transferred to optical disk or electronic format in the normal course of business and files the statement in the offices of the authority.

(b) The statement of intent and purpose executed under par. (a) 5. is presumptive evidence of compliance with all conditions and standards prescribed by this subsection.

(3) (a) Any microfilm reproduction of a record of the authority meeting the requirements of sub. (2) or copy of a record of the authority generated from an original record stored in optical disk or electronic format in compliance with this section shall be taken as, stand in lieu of and have all the effect of the original document and shall be admissible in evidence in all courts and all other tribunals or agencies, administrative or otherwise, in all cases where the original document is admissible.

(b) Any enlarged copy of a microfilm reproduction of a record of the authority made as provided by this section or any enlarged copy of a record of the authority generated from an original record stored in optical disk or electronic format in compliance with this section that is certified by the custodian as provided in s. 889.08 shall have the same force as an actual-size copy.

**SECTION 67m.** 233.20 (1m) of the statutes is created to read:

233.20 (1m) The authority may issue bonds only if a majority of the board of directors determines that, to the extent possible without having an adverse impact on the ability of the authority to sell bonds at a given interest rate, the terms on which the bonds are to be offered are structured in such a way as to accommodate the possibility of the early termination of the lease or affiliation agreement, or both. The board shall base a determination under this subsection on the best information available to the board at the time the determination is made.

**SECTION 67r.** 342.40 (1) of the statutes is amended to read:

342.40 (1) No person shall leave unattended any motor vehicle, trailer, semitrailer or mobile home on any public highway or private or public property, for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. Except as otherwise provided in this subsection section, whenever any vehicle has been left unattended without the permission of the property owner for more than 48 hours in cities of the 1st class and, in other cities, villages and towns, a period set by the governing body thereof, the vehicle is deemed abandoned and constitutes a public nuisance. A motor vehicle shall not be considered an abandoned motor vehicle when it is out of ordinary public view, or when designated as not abandoned by a duly authorized municipal or county official pursuant to municipal or county ordinance.

**SECTION 67s.** 342.40 (3) (a) of the statutes is amended to read:

342.40 (3) (a) Any municipal or university police officer, police officer appointed under s. 16.84 (2), sheriff's deputy, county traffic patrolman, state traffic officer or conservation warden who discovers any motor vehicle, trailer, semitrailer, or mobile home on any public highway or private or public property which has been abandoned shall cause the vehicle to be removed to a suitable place of impoundment. Upon removal of the vehicle the officer or warden shall notify the sheriff or chief of police of the abandonment and of the location of the impounded vehicle.

**SECTION 67t.** 342.40 (4) of the statutes is created to read:

342.40 (4) (a) In this subsection, "state agency" has the meaning given for "agency" in s. 227.01 (1).

(b) Notwithstanding any other provision of this section, a state agency responsible for the land on which a vehicle is left unattended and a duly authorized representative of that agency may exercise all of the powers and duties under this section of a municipality and a duly authorized municipal representative, subject to the following conditions:

1. Whenever a vehicle has been left unattended without the permission of the state agency for more than 72



hours, the vehicle is deemed abandoned and constitutes a public nuisance.

2. The state agency may promulgate rules governing the removal and disposal of abandoned vehicles and, except for abandoned vehicles that have been stolen, provide a forfeiture in addition to providing for the recovery by the state agency of the cost of impounding and disposing of the vehicle.

(c) This subsection applies to any vehicle deemed abandoned before the effective date of this paragraph .... [revisor inserts date], except that no forfeiture may be assessed against the owner of such a vehicle.

**SECTION 67tm.** 346.94 (13) of the statutes is amended to read:

346.94 (13) ABANDONED MOTOR VEHICLES. No person may cause a motor vehicle to be abandoned, within the meaning of s. 342.40 (1) or (4) (b) 1., on or along any highway or on any public or private property.

**SECTION 68.** 409.411 (title) of the statutes is created to read:

**409.411 (title) Uniform commercial code state-wide lien system council.**

**SECTION 69.** 422.505 (1) (e) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

422.505 (1) (e) A conspicuous statement, in not less than 8-point boldface type, as follows: "THIS CREDIT SERVICES ORGANIZATION IS REGISTERED BY THE DIVISION OF BANKING DEPARTMENT OF FINANCIAL INSTITUTIONS at .... (insert address)."

**SECTION 70.** 426.103 of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

**426.103 Administrator.** "Administrator" means the division of banking secretary of financial institutions.

**SECTION 71.** 426.104 (2) (intro.) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

426.104 (2) (intro.) The administrator shall report annually on practices in consumer transactions, on the use of consumer credit in the state, on problems attending the collection of debts, on the problems of persons of limited means in consumer transactions, and on the operation of chs. 421 to 427. For the purpose of making the report, the administrator may conduct research and make appropriate studies. The report shall be included given to the division of banking for inclusion in the report of the division of banking under s. 220.14 and shall include:

**SECTION 72.** 560.82 (4) (a) of the statutes, as affected by 1995 Wisconsin Act 27, is renumbered 560.82 (4) (a) (intro.) and amended to read:

560.82 (4) (a) (intro.) Award in a fiscal biennium, for grants under sub. (1), more than 10% of the total of all of the following:

1. The funds appropriated for the fiscal biennium under s. 20.143 (1) (fm).

**SECTION 73.** 560.82 (4) (a) 2. and 3. of the statutes are created to read:

560.82 (4) (a) 2. The lesser of the funds received in a fiscal biennium in repayment of grants or loans under s. 560.83 or the funds appropriated for the fiscal biennium under s. 20.143 (1) (im).

3. The funds appropriated for the fiscal biennium under s. 20.143 (1) (km).

**SECTION 74.** 560.82 (4) (a) 3. of the statutes, as created by 1995 Wisconsin Act .... (this act), is repealed.

**SECTION 79.** 938.02 (15m) of the statutes, as created by 1995 Wisconsin Act 77, is amended to read:

938.02 (15m) "Secured correctional facility" means a correctional institution operated or contracted for by the department of corrections or department of health and family services for holding in secure custody persons adjudged delinquent. "Secured correctional facility" includes the Mendota juvenile treatment center under s. 46.057, the facility at which the juvenile boot camp program under s. 938.532 is operated, a facility authorized under s. 938.533 (3) (b) and a facility authorized under s. 938.538 (4) (b).

**SECTION 80.** 938.183 (1) (a) of the statutes, as created by 1995 Wisconsin Act 77, is amended to read:

938.183 (1) (a) A juvenile who has been adjudicated delinquent and who is alleged to have violated s. 940.20 (1) or 946.43 while placed in a secured correctional facility, a secure detention facility, or a secured child caring institution ~~or a secured adolescent treatment unit under s. 46.043~~ or who has been adjudicated delinquent and has committed a violation of s. 940.20 (2m).

**SECTION 81.** 939.635 (1) of the statutes, as affected by 1995 Wisconsin Act 77, is amended to read:

939.635 (1) Except as provided in sub. (2), if a person who has been adjudicated delinquent is convicted of violating s. 940.20 (1) while placed in a secured correctional facility, as defined in s. 938.02 (15m), a secure detention facility, as defined in s. 938.02 (16), or a secured child caring institution, as defined in s. 938.02 (15g), ~~or a secured adolescent treatment unit under s. 46.043~~ or is convicted of violating s. 940.20 (2m), the court shall sentence the person to not less than 3 years of imprisonment. Except as provided in sub. (2), if a person is convicted of violating s. 946.43 while placed in a secured correctional facility, as defined in s. 938.02 (15m), a secure detention facility, as defined in s. 938.02 (16), or a secured child caring institution, as defined in s. 938.02 (15g), ~~or a secured adolescent treatment unit under s. 46.043~~, the court shall sentence the person to not less than 5 years of imprisonment.

**SECTION 82.** 939.635 (2) (b) of the statutes, as affected by 1995 Wisconsin Act 77, is amended to read:

939.635 (2) (b) That imposing the applicable presumptive minimum sentence specified in sub. (1) is not necessary to deter the person or other persons from committing violations of s. 940.20 (1) or 946.43 or other similar offenses while placed in a secured correctional facility.

ity, as defined in s. 938.02 (15m), a secure detention facility, as defined in s. 938.02 (16), or a secured child caring institution, as defined in s. 938.02 (15g), ~~or a secured adolescent treatment unit under s. 46.043~~ or from committing violations of s. 940.20 (2m).

**SECTION 83.** 1995 Wisconsin Act 27, section 9322 is created to read:

[1995 Wisconsin Act 27] Section 9322. Initial applicability; ethics board.

(1) **LOBBYING REGULATION FEES.** The treatment of sections 13.63 (1) and 13.75 (1), (1m), (2) and (4) of the statutes first applies to fees paid for the biennial period commencing on January 1, 1997.

**SECTION 84.** 1995 Wisconsin Act 27, section 9422 is repealed.

**SECTION 85m.** 1995 Wisconsin Act .... (Senate Bill 373), section 9331 (3) and (6) are amended to read:

[1995 Wisconsin Act .... (Senate Bill 373)] Section 9331 (3) Except as provided in subsection (6), the treatment of sections 66.293 (1) (a), (cm),~~(f)~~ and (g), (3) (intro.), (ar), (av), (br) and (d) and (11) (b) 6., 103.49 (1) (a), (bg),~~(e)~~ and (d) and (6m) (f) and 103.50 (1) (a), (bg),~~(e)~~ and (d) and (4m) of the statutes, the renumbering and amendment of section 103.49 (3) of the statutes and the creation of section 103.49 (3) (am), (ar), (b) and (c) of the statutes first apply to work performed on the effective date of this subsection.

(6) The treatment of sections 66.293 (1) (a), (cm),~~(f)~~ and (g), (3) (intro.), (ar), (av), (br) and (d) and (11) (b) 6., 103.49 (1) (a), (bg),~~(e)~~ and (d) and (6m) (f) and 103.50 (1) (a), (bg),~~(e)~~ and (d) and (4m) of the statutes, the renumbering and amendment of section 103.49 (3) of the statutes and the creation of section 103.49 (3) (am), (ar), (b) and (c) of the statutes first apply to an employee covered by a collective bargaining agreement that is in effect on the effective date of this subsection that contains provisions that are inconsistent with this act on the day after the collective bargaining agreement expires or on the day that the collective bargaining agreement is modified, extended or renewed.

**SECTION 85p.** 1995 Wisconsin Act .... (Senate Bill 373), section 9431 (2) is amended to read:

[1995 Wisconsin Act .... (Senate Bill 373)] Section 9431 (2) The treatment of sections 66.293 (1) (a), (cm),~~(f)~~ and (g), (3) (intro.), (ar), (av), (br) and (d) and (11) (b) 6., 103.49 (1) (a), (bg),~~(e)~~ and (d) and (6m) (f) and 103.50 (1) (a), (bg),~~(e)~~ and (d) and (4m) of the statutes, the renumbering and amendment of section 103.49 (3) of the statutes and the creation of section 103.49 (3) (am), (ar), (b) and (c) of the statutes and SECTION 9331 (3) and (6) of this act take effect on January 1, 1997, or on the day after publication, whichever is later.

**Vetoed In Part** **SECTION 9101. Nonstatutory provisions; administration.**

(1p) **APPROPRIATION AND AUTHORIZED POSITION DECREASE.** No later than June 1, 1996, the secretary of

administration shall notify the cochairpersons of the joint committee on finance of a proposed decrease in an appropriation to the department made from program revenues or program revenues—service, as defined in section 20.001 (2) (b) and (c) of the statutes, in the amount of \$32,400 for the 1995–96 fiscal year and \$32,400 for the 1996–97 fiscal year and of a proposed decrease in the authorized FTE positions for the department of 1.0 PR position. If the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposal within 14 working days after the date of the secretary's notification, the appropriation and authorized FTE positions for the department are decreased as proposed by the secretary. If, within 14 working days after the date of the secretary's notification, the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposal, the appropriation and authorized FTE position to be decreased shall be determined by the committee.

**SECTION 9123. Nonstatutory provisions; financial institutions.**

(1) **ADMINISTRATION OF THE WISCONSIN CONSUMER ACT.**

(a) *Rules and orders.* All rules promulgated by the division of banking under chapters 421 to 427 of the statutes that are in effect on the effective date of this paragraph remain in effect until their specified expiration date or until amended or repealed by the department of financial institutions. All orders issued by the division of banking under chapters 421 to 427 of the statutes that are in effect on the effective date of this paragraph remain in effect until their specified expiration date or until modified or rescinded by the department of financial institutions.

(b) *Pending matters.* Any matter pending with the division of banking under chapters 421 to 427 of the statutes on the effective date of this paragraph is transferred to the department of financial institutions and all materials submitted to or actions taken by the division of banking with respect to the pending matter are considered as having been submitted to or taken by the department of financial institutions.

**SECTION 9127. Nonstatutory provisions; health and social services.**

(1z) **RECONCILIATION PROVISIONS.**

(a) If 1995 Wisconsin Act .... (Senate Bill 563) is enacted into law, if section 20.866 (2) (v) of the statutes is affected by that act in the manner shown in Senate Substitute Amendment 1 to Senate Bill 563 and if the treatment of that section by that act takes effect before the effective date of this paragraph, then the amendment of section 20.866 (2) (v) of the statutes by this act is void.

(b) If 1995 Wisconsin Act .... (Senate Bill 563) is enacted into law, if section 20.866 (2) (v) of the statutes is affected by that act in the manner shown in Senate Substi-

**Vetoed  
In Part**

tute Amendment 1 to Senate Bill 563 and if the treatment of that section by that act takes effect on or after the effective date of this paragraph, then the repeal and recreation of section 20.866 (2) (v) of the statutes by this act takes effect on the date that the treatment of section 20.866 (2) (v) of the statutes by 1995 Wisconsin Act .... (Senate Bill 563) takes effect.

(c) If neither paragraph (a) nor paragraph (b) applies, then the repeal and recreation of section 20.866 (2) (v) of the statutes by this act is void.

**SECTION 9162. Nonstatutory provisions; other.**

(1) UNIVERSITY OF WISCONSIN HOSPITALS AND CLINICS; LEASE AND AFFILIATION AGREEMENTS.

(a) *Definitions.* In this subsection:

1. “Authority” means the University of Wisconsin Hospitals and Clinics Authority.

2. “Board of regents” means the board of regents of the University of Wisconsin System.

(b) *Lease agreement.* Notwithstanding section 233.04 (7) and (7g) (a) of the statutes, as affected by this act, and 1995 Wisconsin Act 27, section 9159 (2) (k), the authority and the board of regents may modify, no later than the first day of the 4th month beginning after the effective date of this paragraph, a lease agreement negotiated, or negotiated and entered into, before the effective date of this paragraph, without the approval of the joint committee on finance, in order to provide a different initial period for the agreement, if the initial period, as modified, does not exceed the maximum initial period permitted under section 233.04 (7) (intro.) of the statutes, as affected by this act.

(c) *Affiliation agreement.* Notwithstanding section 233.04 (7) and (7p) (a) of the statutes, as affected by this act, section 233.04 (7m) of the statutes and 1995 Wisconsin Act 27, section 9159 (2) (k), if the authority and the board of regents have modified the initial period of the lease agreement under paragraph (b), the authority and the board of regents shall modify, no later than the first day of the 4th month beginning after the effective date of this paragraph, the affiliation agreement, without the approval of the joint committee on finance, in order to provide for an initial period of the affiliation agreement that is concurrent with the initial period of the lease agreement, as modified under paragraph (b).

(2t) RECONCILIATION; WISCONSIN WORKS.

(a) If 1995 Wisconsin Act .... (Assembly Bill 591) is not enacted into law or is enacted into law in a form other than that of assembly substitute amendment 3, the treatment of section 49.143 (1) (a) and (av) of the statutes by this act and SECTION 9462 (3t) of this act are void.

(2x) GAMING BOARD.

(a) The authorized FTE positions for the gaming board that are funded from the appropriation under section 20.197 (1) (q) of the statutes are decreased by 1.0 SEG position on July 1, 1996.

(b) The authorized FTE positions for the gaming board that are funded from the appropriation under section 20.197 (1) (g) of the statutes are increased by 1.0 PR position on July 1, 1996.

(3m) FARM PROGRESS DAYS 1996.

(a) The development of transportation is prohibited from charging any sponsor of farm progress days 1996 for any costs of state traffic patrol services incurred by the department that are associated with farm progress days 1996.

(b) Notwithstanding paragraph (a), the department may charge any sponsor of farm progress days 1996 for the actual and reasonable costs incurred by the department of traffic rerouting, signage and any other special traffic-related activities that are directly associated with farm progress days 1996.

(c) This subsection does not apply after December 31, 1996.

**SECTION 9201. Appropriation changes; administration.**

(1) LAND INFORMATION BOARD POSITIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (4) (ie) of the statutes, as affected by the acts of 1995, the dollar amount is increased by \$32,400 for fiscal year 1995–96 and the dollar amount is increased by \$32,400 for fiscal year 1996–97 to increase the authorized FTE positions for the department by 1.0 PR position for the land information board.

**SECTION 9247. Appropriation changes; revenue.**

(1u) LOTTERY GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.566 (8) (q) of the statutes, as affected by the acts of 1995, the dollar amount is decreased by \$178,300 for fiscal year 1996–97 to decrease the authorized FTE positions for the department by 2.0 SEG positions on July 1, 1996.

**SECTION 9261. Appropriation changes; veterans affairs.**

(1) VETERANS LOANS AND EXPENSES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of veterans affairs under section 20.485 (2) (y) of the statutes, as affected by the acts of 1995, the dollar amount is decreased by \$250,100 for fiscal year 1996–97 to decrease funding for the purposes for which the appropriation is made.

(2) CEMETERY OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of veterans affairs under section 20.485 (4) (g) of the statutes, as affected by the acts of 1995, the dollar amount is decreased by \$250,100 for fiscal year 1996–97 to decrease funding for the purposes for which the appropriation is made.

**Vetoed  
In Part**

**Vetoed  
In Part**

(3) CEMETERY ADMINISTRATION AND MAINTENANCE. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of veterans affairs under section 20.485 (4) (q) of the statutes, as affected by the acts of 1995, the dollar amount is increased by \$250,100 for fiscal year 1996–97 to increase funding for the purposes for which the appropriation is made.

(4) VETERANS INSTITUTIONAL OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of veterans affairs under section 20.485 (1) (gk) of the statutes, as affected by the acts of 1995, the dollar amount is decreased by \$17,700 for fiscal year 1995–96 and the dollar amount is decreased by \$17,700 for fiscal year 1996–97 to decrease funding for the purpose for which the appropriation is made.

(5) ADMINISTRATION OF LOANS AND AIDS TO VETERANS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of veterans under section 20.485 (2) (u) of the statutes, as affected by the acts of 1995, the dollar amount is increased by \$17,700 for fiscal year 1995–96 and the dollar amount is increased by \$17,700 for fiscal year 1996–97 to increase funding for the purpose for which the appropriation is made.

**SECTION 9362. Initial applicability; other.**

(1g) The treatment of sections 66.019 (5), 66.03 (5) and (13) (a) and 79.006 of the statutes and the creation of section 66.03 (13) (a) 2. of the statutes first apply to incorporations that occur on January 2, 1996.

**SECTION 9400. Effective dates; general.** Except as otherwise provided in SECTIONS 9401 to 9462 of this act, this act takes effect on the day after publication.

**SECTION 9412. Effective dates; corrections.**

(1) MENDOTA JUVENILE TREATMENT CENTER. The treatment of sections 938.183 (1) (a) and 939.635 (1) and (2) (b) of the statutes, the repeal of section 46.043 (by SECTION 42) of the statutes and the amendment of sections 46.057 (1) and (2) and 938.02 (15m) of the statutes take effect on July 1, 1996, or on the day after publication, whichever is later.

**SECTION 9415. Effective dates; development.**

(1) ADMINISTRATIVE SERVICES APPROPRIATION. The treatment of section 20.143 (3) (kc) of the statutes takes effect on July 1, 1996, or on the day after publication, whichever is later.

(2) LIMIT ON EARLY PLANNING GRANTS. The repeal of section 560.82 (4) (a) 3. of the statutes takes effect on July 1, 1997.

**SECTION 9423. Effective dates; financial institutions.**

(1) DEPARTMENT OF FINANCIAL INSTITUTIONS APPROPRIATIONS. The treatment of section 20.144 (1) (g) and (2) (g) of the statutes takes effect on July 1, 1996, or on the day after publication, whichever is later.

(2) RAILROAD STOCKHOLDER REPORTS. The treatment of section 190.13 of the statutes takes effect on July 1, 1996, or on the day after publication, whichever is later.

(3) ADMINISTRATION OF THE WISCONSIN CONSUMER ACT. The treatment of sections 15.187 (1) (a) and (b), 220.02 (7) and 409.411 (title) of the statutes takes effect on July 1, 1996, or on the day after publication, whichever is later.

(4) ADMINISTRATION OF THE WISCONSIN CONSUMER ACT. The treatment of sections 422.505 (1) (e), 426.103 and 426.104 (2) (intro.) of the statutes and SECTION 9123 (1) of this act take effect on July 1, 1996, or on the day after publication, whichever is later.

**SECTION 9427. Effective dates; health and social services.**

(1) PRINCIPAL AND INTEREST PAYMENTS FOR THE WORKSHOP FOR THE BLIND. The treatment of sections 20.445 (5) (e) and 20.866 (1) (u) of the statutes takes effect on July 1, 1996, or on the day after publication, whichever is later.

**SECTION 9458. Effective dates; University of Wisconsin Hospitals and Clinics Authority.**

(1w) CONTRACTUAL SERVICES AGREEMENT. The treatment of section 233.04 (3b) (b) of the statutes takes effect on June 29, 1996, or on the day after publication, whichever is later.

**SECTION 9462. Effective dates; other.**

(1) MUNICIPAL BOUNDARY CHANGES. The treatment of section 66.023 (1) (a) of the statutes takes effect on July 1, 1996, or on the day after publication, whichever is later.

(3t) WISCONSIN WORKS. The treatment of section 49.143 (1) (a) and (av) of the statutes takes effect on the day after publication of 1995 Wisconsin Act .... (Assembly Bill 591), or on the day after publication of this act, whichever is later.

(3u) GAMING BOARD. The treatment of section 230.08 (2) (e) 4m. and (m) 2m. of the statutes takes effect on July 1, 1996, or on the day after publication, whichever is later.

**Vetoed  
In Part**